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Practitioner's Docket No. 1062/D44

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Russell Beavis, Larry B. Gray

Application No.: 10/670,977

Group No.: 2856

Filed: 09/25/2003

Examiner: Saint Surin, J.

For: System and Method for Improved Volume Measurement

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BOX AF

RESPONSE UNDER
37 C.F.R. § 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP
2856

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT OR RESPONSE AFTER FINAL REJECTION--TRANSMITTAL

1. Transmitted herewith is an amendment after final rejection (37 C.F.R. 1.116) for this application.

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*
(When using Express Mail, the Express Mail label number is mandatory;
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

[x] deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. § 1.8(a)

37 C.F.R. § 1.10*

[x] with sufficient postage as first class mail.

☐ as "Express Mail Post Office to Addressee"
Mailing Label No. _____ (mandatory)

TRANSMISSION

☐ facsimile transmitted to the Patent and Trademark Office, (703) _____

Signature

Date: January 27, 2006

Samuel J. Petuchowski
(type or print name of person certifying)

* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

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01/31/2006 TBESHAH1 00000016 194972 120.00 DA
01 FC:1251

STATUS

2. Applicant is other than a small entity .

EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant petitions for an extension of time under 37 C.F.R. 1.136 (fees: 37 C.F.R. 1.17(a)(1)-(4)) for one month:

Fee: \$120.00

FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

	(Col.1)		(Col. 2)	(Col. 3)	OTHER THAN SMALL ENTITY		
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDIT. FEE	
TOTAL	29	MINUS	30	= 0	x \$ 50.00	= \$	0.00
INDEP	4	MINUS	4	= 0	x \$ 200.00	= \$	0
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM					+ \$ 0.00	= \$	0.00
TOTAL						\$	0.00
ADDIT. FEE							

No additional fee for claims is required.

FEE PAYMENT

5. Authorization is hereby made to charge the amount of \$120.00 to Deposit Account No. 19-4972.

Charge any additional fees required by this paper or credit any overpayment in the manner authorized above.

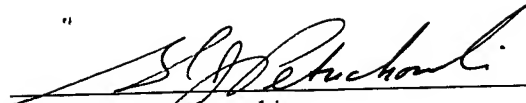
A duplicate of this paper is attached.

FEE DEFICIENCY

6. If any additional extension and/or fee is required, charge Account No. 19-4972.

If any additional fee for claims is required, charge Account No. 19-4972.

Date: January 27, 2006


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01062/00D44 463574.1



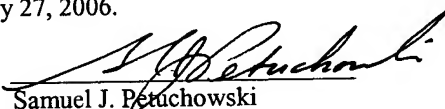
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Beavis et al.
Serial No: 10/670,977
Date Filed: September 25, 2003
Customer No.: 02101
Invention: System and Method for Improved Volume Measurement

Att'y Docket: 1062/D44
Conf. No. 8101
Art Unit: 2856
Examiner: Saint Surin, J.

Certificate of Mailing

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Samuel J. Petuchowski

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Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

AMENDMENT IN RESPONSE TO OFFICE ACTION OF OCTOBER 19, 2005

Dear Sir:

In response to the Office Action dated October 19, 2005 and made final,
Applicants submit the following remarks, and request reconsideration of the pending
claims in their light.

A Listing of Claims begins on page 2 of this paper.

Remarks begin on page 8 of this paper.